

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	Case No. CR02-0261-TSZ-JPD
Plaintiff,	)	
	)	
v.	)	SUMMARY REPORT OF U.S.
	)	MAGISTRATE JUDGE AS TO
IRHONDA LAKISHA PAYNE,	)	ALLEGED VIOLATIONS
	)	OF SUPERVISED RELEASE
Defendant.	)	
_____	)	

An initial revocation hearing on supervised release violations in this case was scheduled before the undersigned Magistrate Judge on February 28, 2006. The United States was represented by Assistant United States Attorney William Redkey, and the defendant by Mr. Robert Goldsmith. The proceedings were recorded on cassette tape.

The defendant had been sentenced on or about February 14, 2003, by the Honorable Thomas S. Zilly, to twenty-four (24) months imprisonment, to be followed by five (5) years of supervised release on a charge of Bank Fraud.

In addition to the standard conditions of supervised release, which include compliance with all local, state, and federal laws, special conditions of supervised release were imposed. These special conditions included, but were not limited to, no possession of firearms, consent to search, no new credit, notification to the United States Probation Officer of all computer hardware and software owned or operated, financial disclosure, and

01 restitution.

02 On December 9, 2005, a warrant for defendant's arrest was issued on December 9,  
03 2005, and defendant was charged with violations of conditions of her supervised release.

04 In the Pretrial Petition for Warrant or Summons for Offender Under Supervision  
05 dated December 9, 2005, Mr. Felix Calvillo, Jr., Senior U.S. Probation Officer, alleged the  
06 following violations of defendant's conditions of supervised release:

07 (1) Failing to notify the probation officer of all computer hardware and software  
08 owned, in violation of the special condition of supervised release.

09 (2) Possessing a firearm (HiPoint Firearm, Model 995; Serial A52655), in  
10 violation of the general and special conditions of supervised release.

11 (3) Committing the crimes of Forgery, Theft and Identity Theft, in violation of  
12 the general condition that she not commit a federal, state or local crime.

13 (4) Committing the crime of Driving Under the Influence, in King County,  
14 Washington, on or about September 4, 2005, in violation of the general condition that she  
15 not commit a federal, state or local crime.

16 (5) Failing to disclose on monthly reports or notify the U.S. Probation Office of  
17 U.S. Bank accounts #153556789581 and #153556544432, in violation of the special  
18 condition of supervised release.

19 On December 8, 2005, defendant was arrested by King County Sheriff deputies for  
20 the alleged crime of False Statements on or about October 26, 2005, in violation of 18  
21 U.S.C. § 1101 and, also, in violation of the standard condition of her existing supervised  
22 release that she not commit another federal, state, or local crime.

23 On December 12, 2005, defendant appeared before the Honorable Monica J. Benton  
24 for the alleged charge of False Statements, was advised of her rights and the allegations  
25 against her, denied the allegations, and requested that an evidentiary hearing be held on  
26 revocation of her supervised release. The evidentiary hearing on revocation of supervised

01 release was set before the Honorable James P. Donohue.

02 In the Supplemental Violation Report dated December 28, 2005, Mr. Felix Calvillo,  
03 Jr., Senior U.S. Probation Officer, petitioned the Court to incorporate the following alleged  
04 violation of defendant's supervised release in all future proceedings, and with the violations  
05 previously reported to the Court on December 9, 2005:

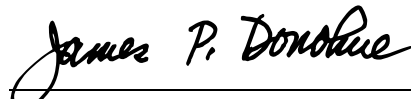
06 (6) Committing the crime of False Statements in violation of 18 U.S.C. § 1001,  
07 in King County, Washington, on or about October 26, 2005, in violation of the general  
08 condition that she not commit another federal, state or local crime.

09 The evidentiary hearing for Revocation of Supervised Release was held on  
10 February 28, 2006, at 9:30 a.m., before the Honorable James P. Donohue. Defendant was  
11 advised of the allegations, and admitted to violation numbers 1, 3, 5, and 6. At the  
12 evidentiary hearing, the government dismissed violation numbers 2 and 4.

13 I therefore recommend that the Court find the defendant violated the conditions of  
14 her supervised release as to violation numbers 1, 3, 5, and 6, and that the Court conduct a  
15 hearing limited to disposition as to these violations. A disposition hearing has been set  
16 before the Honorable Thomas S. Zilly, for May 18, 2006, at 1:30 p.m.

17 Pending a final determination by the Court, the defendant has been detained.

18 DATED this 1st day of March, 2006.

19   
20 JAMES P. DONOHUE  
21 United States Magistrate Judge

22 cc: District Judge: The Hon. Thomas S. Zilly  
23 AUSA: Mr. William Redkey  
24 Defendant's attorney: Mr. Robert Goldsmith  
25 Probation officer: Mr. Felix Calvillo, Sr.  
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